



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

740 – FORENSIC EVIDENCE COLLECTION

GENERAL ORDER: 2014-51
ISSUED: July 31, 2014

EFFECTIVE: July 31, 2014

REVIEWED/APPROVED BY:
Captain Regina Howard
DATE: July 17, 2014

ACTION: Amends General Order 2011-17 (June 1, 2011)

WILEAG STANDARD(S): 11.1.1, 11.1.2, 11.1.3, 11.1.4, 11.1.5, 11.1.6, 11.1.7, 11.1.8, 11.2.1

740.00 PURPOSE

The purpose of this standard operating procedure is to establish guidelines regarding the collection, preservation, and documentation of forensic evidence and the utilization of forensic services. These duties include but are not limited to the following:

- providing photographic services for the department and other agencies,
- providing crime scene examinations in the area of evidence collection and latent print development;
- obtaining, comparing and identifying fingerprints from dead human bodies;
- identifying prisoners through fingerprint comparisons;
- retrieval and processing of forensic video evidence;
- processing and analysis of document evidence;
- comparison and identification of crime scene latent prints to known persons;
- providing testimony regarding forensic analysis or examination in court proceedings;
- records management regarding forensic services, criminal records, fingerprint databases, latent, mug shot and photographic evidence;
- retrieval of digital and computerized evidence.

740.05 GENERAL (WILEAG 11.1.1, 11.1.2, 11.1.5, 11.1.6, 11.1.7, 11.1.8)

A. TRAINING

The department will provide or authorize training regarding the detection, collection, preservation and documentation of physical, DNA, and computer / electronic evidence in conformity to established laws and department guidelines. Specialized training will be provided for crime scene trained (CST) officers, forensic investigators, and other personnel assigned to the Forensics Section and High Technology Unit. Updated training will be provided as necessary.
(WILEAG 11.1.5.4, 11.1.6.4)

B. AVAILABILITY

Forensic services by trained forensic investigators and/or CST officers shall be accessible for 24 hours/7 days a week.

- C. First responders and investigators shall safeguard the integrity of the scene and relevant physical, DNA, and computer / electronic evidence in accordance with [REDACTED]
(WILEAG 11.1.5.1, 11.1.6.1)

1. All [REDACTED]. The member shall provide a copy of the *Milwaukee Police Department Firearm Report* (form PF-11) with the firearm submitted for processing.
(WILEAG 11.2.1.5)

D. EVIDENCE COLLECTION AND PRESERVATION

Evidence collected from a scene shall be packaged in such a way as to safeguard the integrity of the evidence, and prevent damage and contamination. Evidence shall subsequently be placed on inventory in accordance with SOP's 560 and 725.
(WILEAG 11.2.1.4)

1. Biological / DNA evidence shall be dried and individually packaged in paper bags or other "breathable" material. Plastic or other airtight materials/containers shall not be utilized as they may retain moisture and damage evidence.
(WILEAG 11.1.5.2)
2. Forensic investigators are responsible for inventorying items of evidence that they collect (e.g., latent lifts, DNA swabs, footwear impressions).

E. EVIDENCE INVENTORY AND TRANSFER

In order to maintain an effective chain of custody, all evidence submitted for analysis shall be properly inventoried prior to processing. Any additional property transfers shall be documented on the property inventory in accordance with SOP 560.
(WILEAG 11.1.5.2, 11.1.8.4)

F. DOCUMENTATION

An incident report, supplementary report or department memorandum shall be completed documenting relevant details regarding the detection, collection, preservation and documentation of physical and electronic evidence. Documentation regarding the transfer of custody of physical evidence shall include the date and time of transfer, name of person transferring property, name/title/agency of person receiving property, laboratory name and location (if applicable), reason for the transfer, if any processing is required, and a brief synopsis of the case.

The investigating officer or detective shall document the name and PeopleSoft number of the member taking photographs of the scene, including the number of photographs and the date and time the photographs were taken.

740.10 FORENSIC IMAGING LAB / PHOTOGRAPHIC EVIDENCE (WILEAG 11.1.3)**A. CARE AND MAINTENANCE OF EQUIPMENT**

All crime scene trained and sergeant digital cameras shall be maintained by the respective work locations.

1. Work location supervisors shall conduct periodic inspections of the cameras for serviceability. When a camera is found to be defective, the camera shall be conveyed to the Forensics Section for service. An investigation shall be initiated if negligence is involved.
2. Prior to using the camera, members shall inspect it for serviceability and shall immediately report any problems with the camera to his/her shift commander or shift supervisor.
3. Commanding officers at each work location shall be responsible for the retention and distribution of digital camera(s) assigned to their respective work locations.

B. IMAGE / PHOTOGRAPHIC STORAGE

Original images shall be transferred in an unaltered state to suitable media. All images shall be stored and maintained by the Forensics Section.

C. TRANSMITTAL PROCEDURE

1. All images are to be placed in the PP-45 CD-R along with all PP-45A photo assignment forms, if applicable, and submitted to the Forensics Section for storage.
2. Transmittal envelope
 - a. All members not assigned to the Forensics Section shall utilize the plastic transmittal envelope assigned to their work location to submit images to the Forensics Section.
 - b. The *Photographic Disbursement Log* (form PP-53) listing all of the PP-45 CD-R envelopes being submitted must accompany the envelopes.
 - c. Forensics Section personnel shall sign the PP-53 and take custody of all images contained in the transmittal envelope after verifying that all PP-45 CD-R envelopes on the log sheet are accounted for. The transmittal envelope may then be returned to the work location.

D. PHOTO REQUESTS

1. Request for photographs by department members shall be made utilizing the *Request for Scene Photos* form (PR-18) and submitted to the Forensics Section.

2. All other requests for photographs must be made following existing open records procedures.

740.15 SCENE AND INCIDENT PHOTOGRAPHY (WILEAG 11.1.3)

A. REQUEST FOR SERVICES FROM FORENSICS SECTION PERSONNEL

1. Officers shall contact their shift commander or on-scene supervisor to request a forensic investigator to the scene.
2. Detectives shall contact the citywide dispatcher to request a forensic investigator to the scene.
3. The Technical Communications Division shall classify the request for a forensic investigator in accordance with the priority level of the original call for service (e.g., if the original call for service was a priority three assignment, the request for a forensic investigator shall be classified as a priority three assignment).

B. TYPES OF INCIDENTS - RESPONSIBILITIES

1. FORENSICS SECTION

Forensics Section personnel shall photograph major crime scenes, fatal accidents, etc. and may be requested when more sophisticated photography skills and equipment are needed. They may also be requested when a supervisor or other authorized member is not available to photograph an incident.

2. SERGEANTS AND OTHER SUPERVISORS

Sergeants and other authorized supervisors shall photograph the following incidents:

- a. Property damage traffic accidents involving city-owned vehicles.
- b. Scenes at which forced entry by department members resulted in property damage.
- c. District level internal investigations or use of force complaints.
- d. Those scenes in which a department owned camera can adequately document the pertinent information.

3. CRIME SCENE TRAINED OFFICERS (CST)

District CST's have been trained to assist officers in the processing of certain crime scenes as they have received limited specialized training in crime scene photography, processing, and DNA collection. However, a CST does not replace a forensic investigator in those situations where the nature of the investigation requires more specialized training and equipment. In addition, sergeants are still

required by SOP to take certain photographs; a CST cannot take the photographs that SOP requires of sergeants.

- a. CST's or on scene supervisors should be utilized to photograph scenes in which the CST assigned camera can adequately document the pertinent information in accordance with departmental training and guidelines.
 1. Absent special circumstances, a forensic investigator will not respond to photograph death investigations in which the following circumstances exist:
 - a. Non-suspicious death of an individual under long-term medical treatment in a facility (e.g., nursing home, hospital).
 - b. Non-suspicious death following facility-based or in-home hospice care.
 - c. Non-suspicious death of an adult over 65.
 - b. A CST officer should not be utilized to process any firearms or any extensive crime scene requiring specialized evidence collection (e.g., footwear, chemical processes). All firearms shall be processed at the Forensics Section.

4. DISTRICT STATIONS AND OTHER WORK LOCATIONS

Supervisors shall authorize the use of a digital camera to include, but not limited to, scenes in which the camera can adequately document the pertinent information in accordance with departmental training and guidelines.

C. IMAGES TO BE TAKEN

1. In an effort to accurately depict the details and locations of pertinent evidence and crime scenes the following photographs should be taken:
 - a. CLOSE UP

Photo taken within six to twelve inches of person/object to depict details of the person/object.
 - b. MID-RANGE

Photo taken of entire person/object to depict the overall view of person/object for identification purposes.
 - c. OVERALL SCENE

Panoramic photo taken of a scene from multiple vantage points to depict spatial relationship of persons/objects within a scene.
2. Review images at the scene

Digital images shall be reviewed prior to leaving the scene. In the event the images do not adequately depict the necessary detail, are blurred or are otherwise of poor quality, the images shall be retaken. No images shall be deleted from the camera.

3. Document all photographs

All department members who photograph an incident shall complete a *Photographic Assignment* envelope (PP-45 CD-R) and, if applicable, a *Photographic Assignment Supplement* (PP-45A). All relevant information must be noted on the reports, which shall be reviewed by a work location supervisor.

- a. Each image shall be numbered sequentially and recorded in detail on the PP-45 CD-R and, if applicable, PP-45A.
- b. In order to indicate the end of an incident the final photograph shall be of a completed *Photographic Record Sheet* (PP-52) or PP-45 CD-R.
- c. Each CD-R shall be reviewed to ensure the images were properly recorded on the CD-R.

D. VIDEO

Crime scene and/or items of evidence can be video recorded by a forensic investigator to document the crime scene and/or the location of evidence found to produce a permanent record. Video shall be taken in a manner consistent with training. Information pertaining to all video, including the date, time, location and the incident number, shall be included on a PP-52 at the end of the video recording. The recorded video shall be transferred onto a media storage device (e.g., DV-R, CD) and that device shall later be processed into evidence and inventoried by the investigating officer/detective.

740.20 LATENT PRINT COLLECTION (WILEAG 11.1.4, 11.1.7)

Latent print processing is intended to develop hidden or invisible fingerprint impressions. This processing is intended to establish an individualized forensic linkage or exclusion between suspects, victims, witnesses, and physical evidence through the collection and examination of latent fingerprint evidence. These duties shall be performed by authorized personnel, in conformity to established laws, and department guidelines.

- A. Fingerprints shall be processed, developed, lifted, labeled, and stored in a manner consistent with basic and specialized training and in accordance with the Department of Justice *Physical Evidence Handbook*, which is located on the directives intranet homepage under Handbooks, Manuals, and How-To's.

B. ON-SCENE PROCESSING

1. Members shall request a CST officer, or with supervisory approval, a forensic investigator during any investigation that requires the processing of a scene for latent fingerprints.

- a. CST officer's shall be utilized at scenes in accordance with 740.15(B)(3).
2. A *Forensics Section Case Folder* (PE-13) must be completed and a forensic case number must be assigned to all cases regarding latent print collection regardless of positive or negative results.

C. COUNTER CASE

1. Portable items of evidence, as defined in SOP 560.10, that have not been processed at a crime scene may be submitted to the Forensics Section for examination in accordance with the procedures listed herein.
2. Property shall be transferred on a property inventory to personnel assigned to the Forensics Section for processing.
3. A *Forensics Section Case Folder* (PE-13) must be completed and a forensic case number must be assigned to all cases regarding latent print collection regardless of positive or negative results.
4. When all forensic processing is completed, all items of evidence shall be secured at the Forensics Section until it can be properly transferred to the custody of the Property Control Section.

D. LATENT PRINT EXAMINATION

1. All latent cases with actual latent print evidence shall be evaluated by a latent print examiner or chief latent print examiner in order to determine the quality of the lifts. Lifts may then be compared manually and/or processed utilizing the departmental Automated Fingerprint Identification System (AFIS).
2. Latent cases shall be retained by the Forensics Section in accordance with departmental record retention schedules.
3. In accordance with state and federal open records and discovery laws, defense attorneys may be allowed to have their own experts review latent fingerprint evidence provided it has been approved by the district attorney's office or by court order. All latent fingerprint evidence to be subjected to external examination shall remain in the custody of the Milwaukee Police Department. This evidence is not to be removed by or released to defense experts for review. Defense experts are allowed to conduct forensic examinations on departmental premises by appointment only.

740.25 DNA and BIOLOGICAL MATERIALS (WILEAG 11.1.5)

DNA processing is intended to collect visible or trace biological samples. This processing is intended to establish an individualized forensic linkage or exclusion between suspects, victims, witnesses, and physical evidence through the collection and examination of various forms of biological material, including but not limited to, blood, sweat, saliva, semen, and other biological materials. These duties shall be performed by authorized personnel, in conformity to established laws and department guidelines.

(WILEAG 11.1.5.2)

A. DETECTION

1. It is imperative that members closely examine all scenes and pertinent items for the presence of biological evidence. Members should take care to protect against destruction and/or contamination of biological materials.
 - a. Consideration should be taken to determine the most likely location of DNA evidence by asking the following questions:

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

(WILEAG 11.1.5.1)

2. The Forensics Section does not accept items of clothing/fabric or casings for DNA processing. These items must be submitted directly to the Wisconsin State Crime Lab for analysis.

(WILEAG 11.1.5.3)

740.30 OTHER FORENSIC EVIDENCE AND SERVICES

Forensic investigators assist with the collection of various forms of forensic evidence, including but not limited to the following:

- Trace evidence collection (e.g., hairs, fibers, glass fragments, soil).
- Tool, tire and footwear impressions.
- Prisoner fingerprint identification and classification.
- Identification of unknown/deceased persons through fingerprint comparisons.
- Presumptive testing (human blood).
- Trajectory marking.

740.35 TRANSMITTAL OF EVIDENCE TO OUTSIDE AGENCY (WILEAG 11.1.8)

With the exception of the analysis listed herein, the Milwaukee Police Department does not provide scientific analysis of physical evidence. Request for these levels of analysis must be submitted to a qualified external agency, such as the Wisconsin State Crime Lab or other processing agency, in accordance with SOP 560.

740.40 SCENE RECOVERY OF SURVEILLANCE VIDEO EVIDENCE

A. ON-SCENE RETRIEVAL/CAPTURE

1. A forensic investigator or forensic video examiner may be authorized to respond to a scene to retrieve video. The onus will be upon the investigator to properly inventory the evidence. Request for these services may be made utilizing a *Forensic Video Recovery Request* form (PI-60).
2. In the event that the forensic video examiner responds to a location independent of the investigating officer, the investigator will be notified of the retrieval and the forensic video examiner will inventory the evidence.

B. THIRD PARTY RECOVERY

Video evidence retrieved or recovered by a third party (e.g., investigating officer, property owner or business employee) may be submitted for analysis. These items must be placed on inventory.

740.45 IN-HOUSE/COUNTER CASE VIDEO REQUEST

A. REQUEST FORM

Members requesting in-house forensic video analysis (enhancements, still images, or format conversions) shall complete a *Forensic Video Examiner Request* form (PI-63). The form and the video evidence shall then be submitted to the Forensics Section.

B. CHAIN OF CUSTODY

In order to maintain chain of custody, all video evidence submitted for analysis shall be properly inventoried prior to submission for processing. Any additional property transfers shall be documented on the property inventory.

C. MEDIA RELEASES

A forensic video examiner may prepare video images intended for public release to media outlets for the purpose of clarification of events, identification or location of relevant individuals. These files will be released at the approval of the Chief of Police.

D. NOTIFICATION OF COMPLETION

Upon completion of the forensic video analysis, the forensic investigator or forensic video examiner shall notify the requesting investigator.

The finished product and any original video evidence not initially turned over to the

investigating member shall be inventoried and secured at the Property Control Section.

E. OTHER REQUESTS

All other requests for forensic video images must be made following existing open records procedures.

740.50 COMPUTER / ELECTRONIC EVIDENCE (WILEAG 11.1.6)

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Only properly trained members shall attempt to examine and analyze digital evidence. Members shall contact the High Technology Unit through their shift commander for assistance if they have questions or concerns related to the recovery of any computer / electronic evidence.

A. FIRST RESPONDER RESPONSIBILITIES AND PRECAUTIONS

1. Investigators are responsible for maintaining the integrity of the crime scene. This responsibility starts with the first officer(s) on scene.
2. Members shall ensure that no unauthorized person(s) has access to any electronic devices at the crime scene, and shall
REDACTED
3. Members shall remove any persons from the crime scene or the immediate area from which evidence is to be collected.
4. Members shall ensure that the condition of any electronic device is not altered.
5. Members shall leave a computer or electronic device off if it is already turned off.
 - a. Members shall have photographs of the computer screen taken as necessary if the computer is already on. However, members shall not attempt to access any computer files if the computer is on.
6. Members shall collect all power supplies and adapters associated with any electronic devices seized.
7. Members shall document the scene prior to securing electronic evidence and have photographs taken as necessary. Members shall document the entire location,

including the type, location, and position of computers, their components and peripheral equipment, and other electronic devices.
(WILEAG 11.1.6.1, 11.1.6.2)

740.55 COLLECTION OF COMPUTER / ELECTRONIC EVIDENCE (WILEAG 11.1.6)

- A. Members shall ensure that all digital evidence is documented and photographed (if necessary) before it is packaged and inventoried.
- B. Members shall package all digital evidence in antistatic packaging. Only paper bags and envelopes, cardboard boxes, and antistatic containers should be used for packaging digital evidence. Plastic materials shall not be used when collecting and storing digital evidence.
- C. Members shall ensure all digital evidence is packaged in a manner that will prevent it from being bent, scratched, or otherwise deformed.
- D. Members need to remove the power source from electronic devices that are in an "on" state. Desktop computers should have the power cord pulled from the back of the computer. Laptops and mobile computers should also have the battery removed and then the power cords removed (if applicable). Cell phones should be placed into "airplane mode" prior to removing the battery.
- E. Members shall collect all power supplies and adapters for all electronic devices seized.
(WILEAG 11.1.6.1, 11.1.6.2)

740.60 TRANSPORTATION AND STORAGE OF COMPUTER / ELECTRONIC EVIDENCE (WILEAG 11.1.6, 11.1.7)

- A. Members shall REDACTED
- B. Members should avoid keeping digital evidence in a squad car for prolonged periods of time. Heat, cold, and humidity can damage or destroy digital evidence.
- C. Members shall ensure that computers and electronic evidence are packaged and secured during transportation to prevent damage.
- D. Members shall inventory all computer / electronic evidence in accordance with SOP 560.
(WILEAG 11.1.6.2)

740.65 SUBMISSION OF COMPUTER / ELECTRONIC EVIDENCE TO HIGH TECHNOLOGY UNIT FOR ANALYSIS (WILEAG 11.1.6)

- A. Electronic evidence requiring analysis shall be submitted to the High Technology Unit. Requests for service by the High Technology Unit shall include the following:

1. Members shall submit electronic evidence for analysis by utilizing the online analysis request on the High Technology Unit's Share Point page.
 2. One copy of all property inventories related to the evidence submitted for analysis.
 3. A search warrant is required and must include appropriate language that specifically allows for the examination of the digital evidence submitted. Other forms of legal authority, such as written consent signed by the owner, usage agreement, or documented company policies, shall be acceptable. Oral consent is acceptable, but it must be documented.
 4. More information regarding the submission of electronic evidence can be found in the High Technology Unit's Request for Analysis Manual, which is also located on the High Technology Unit's Share Point page.
- B. All computer components, peripherals, or other electronic evidence that is necessary to support a criminal case in court shall be seized. The seized property shall be fingerprinted and/or DNA processed if applicable, prior to requesting analysis by the High Technology Unit.
- C. The High Technology Unit will not accept keyboards, mice, monitors, printers, scanners, web cams, etc., which do not normally contain electronic evidence.
(WILEAG 11.1.6.3)



EDWARD A FLYNN
CHIEF OF POLICE